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WORLD CONFERENCE ON HUMAN RIGHTS
Regional Meeting for Africa
Tunis, 2-6 November 1992
Agenda item 9

ADOPTION OF THE REPORT

Report of the Drafting Committee

Addendum

The role of Governments in furthering the promotion and protection of human rights

The African Regional Preparatory Meeting for the World Conference on Human Rights,

Emphasizing that States, in adhering to the Charter of the United Nations and adopting the Universal Declaration of Human Rights, have pledged themselves to respect, promote and protect the human rights and fundamental freedoms of all, without distinction as to race, sex, language, religion, nationality or place of origin,

Aware that Governments, and their national institutions, have a primary responsibility to promote and protect all human rights and fundamental freedoms, while at the same time taking the necessary measures to fulfil their obligations as parties to the various international human rights instruments,

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* Reissued for technical reasons.

GE.92-14475 (E)

Recognizing that Governments, particularly in developing countries, although fully committed to the protection and promotion of human rights, may encounter difficulties in fulfilling their commitments due to the limited financial and material resources at their disposal, and that they should therefore be assisted in their endeavours by the international community,

1. Invites Governments to ensure that their constitutions and other legal instruments incorporate the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and all the other universally recognized principles, including those contained in the various human rights instruments to which they are parties;

2. Affirms that Governments have a responsibility to ensure such conditions as are necessary for the full enjoyment and promotion of economic, social, cultural, civil and political rights, and particularly for human development, social progress and improved health and educational standards;

3. Encourages Governments, with the assistance of the international community and bearing in mind the interrelationship between development and human rights, to promote all forms of development as a sound foundation for the respect, protection and promotion of human rights and fundamental freedoms;

4. Urges Governments to take all necessary measures to guarantee that the rights proclaimed in the Charter of the United Nations and the Universal Declaration of Human Rights as well as other international human rights instruments are respected and enjoyed equally by all persons, regardless of race or conviction;

5. Calls upon Governments, with the assistance and support of the international community, to enhance their national institutions for the protection and promotion of human rights, with particular emphasis on educational programmes and programmes to stimulate public awarenesss with a view to fostering a better general understanding of human rights;

6. Stresses that respect for, the promotion of and the necessary realization of human rights and fundamental freedoms also require the commitment of all Governments to respect fully the principles contained in the Charter of the United Nations, inter alia the principles of national sovereignty, territorial integrity and non-interference in the internal affairs of States.

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ADOPTION OF THE REPORT

Report of the Drafting Committee

Addendum

Role of national institutions in the promotion and protection of human rights

The African Regional Preparatory Meeting for the World Conference on Human Rights,

Bearing in mind General Assembly resolution 33/46 of 14 December 1978 setting out the guidelines on the structure and functioning of national institutions for the promotion and protection of human rights, as well as the principles relating to the status of national institutions annexed to Commission on Human Rights resolution 1992/54 of 3 March 1992,

Recalling the African Charter on Human and Peoples' Rights which, in article 26, requests all States parties to allow the establishment of national institutions entrusted with the promotion and protection of human and peoples' rights and to strengthen relevant existing institutions,

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Emphasizing the role of national institutions in the promotion and dissemination of human rights, both individual and collective,

1. Notes with satisfaction the establishment in some African countries of national institutions entrusted with the promotion and protection of human rights;

2. Encourages States to be guided by the principles of General Assembly resolution 33/46 and Commission on Human Rights resolution 1992/54 in establishing, within the framework of their national legislation, national institutions for the promotion and protection of human rights;

3. Encourages all States Members of the United Nations, along with the States of the African region, to establish and promote the exchange of information and experience relating to the creation and strengthening of national institutions entrusted with the promotion and protection of human rights;

4. Reaffirms the importance of national institutions in contributing to the democratic process and to the strengthening of the rule of law and in providing, on an advisory basis, views, recommendations, proposals and reports concerning all matters relating to the promotion and protection of human rights, by inter alia:

(a) Advising on the adoption and harmonization of national legislation, regulations and practices with the international human rights instruments;

(b) Providing views, suggestions and recommendations in connection with claims or complaints concerning human rights violations brought to their notice;

(c) Making proposals for practical measures to be taken by Governments and competent authorities to ensure conformity between practice and legal regulations;

(d) Contributing to the preparation of reports to be submitted by States to United Nations organs and committees, in compliance with their treaty obligations;

5. Encourages the national institutions of States of the African region to cooperate with the organizations of the United Nations system, regional institutions and national institutions of other countries with competence in the promotion and protection of human rights;

6. Calls for the strengthening of cooperation between national institutions of the African region;

7. Requests the Secretary-General of the United Nations to consider favourably applications for assistance made by African Member States regarding the creation and strengthening of national institutions within the framework of the United Nations programme of advisory services and technical cooperation in the field of human rights.

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Addendum

International cooperation to combat xenophobia

The African Regional Preparatory Meeting for the World Conference on Human Rights,

Concerned by the extent of the phenomenon of xenophobia and its adverse effects on the preservation and consolidation of human rights,

Considering that a combination of legal action and economic and social initiatives is required to contain this new scourge,

Referring to Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1992/5 of 21 August 1992 recommending that the Commission on Human Rights appoint a thematic special rapporteur on contemporary forms of racism, racial discrimination and xenophobia,

1. Reaffirms its commitment to safeguarding the rights and full development of vulnerable groups, including migrant workers and their families and foreign students who are often the target of expressions of xenophobia;

2. Believes that it is incumbent upon the international community in general and the States where xenophobia has manifested itself in particular to take concrete measures urgently to combat xenophobia and ensure its eradication;

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GE.92-14481 (E)

3. Supports the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1992/5 that the Commission on Human Rights appoint a thematic special rapporteur on contemporary forms of racism, racial discrimination and xenophobia;

4. Recommends that the special rapporteur be entrusted with the task of carrying out a preliminary study of the phenomenon of xenophobia in order to permit a better definition of this scourge and the elaboration of the appropriate measures required for its eradication, and that he submit his findings to the Commission on Human Rights at its fiftieth session.